HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 14050 OF 2006

DATED: 11.7.2006

Between:

Mr. G. Satyanarayana

… Petitioner

and

The Chairperson & MD,
APTRANSCO, Vidyuth Soudha,
Hyderabad-82 and others

…
Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.14050 OF 2006

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

The writ petition is misconceived and premature.

There is a contest as to whether the petitioner is as on date the Secretary General of the A.P. State Electricity Employees Union-327 INTUC, Mint Compound. It is alleged that the President of the Union had unilaterally and contrary to his authority, under the byelaws of the Union, removed the petitioner from the post of the Secretary General. Aggrieved thereby, the petitioner states to have filed a civil suit which is pending consideration. While so, the President also appears to have appointed an Adhoc Committee dissolving the existing nominated working committee and has written to the respondents-A.P. Transco to extend facility as Full Time member to one N. Janardhan, UDC of the ERO/R Nizamabad, who is stated to have been appointed as the

Secretary General. This letter addressed by the Working President and Chairman of the Adhoc Committee of the A.P.S.E.E. Union to the 1st respondent is assailed in this writ petition on an apprehension that even during the pendency of the civil suit and any interlocutory relief that the petitioner claims therein, the first respondent might act upon the letter dated 4.7.2006 of the Working President of the Adhoc Committee of the Union and de-recognize the petitioner as the Secretary General and extend the facilities or recognition as a Secretary General to the other individual Mr. N. Janardhan.

The writ petition is filed on the basis of an apprehension. As on date, no order has been passed by the respondents 1 to 3. The mere writing of a letter by a Trade Union, which is not a State within the meaning of Article 12 of the Constitution to any of the respondents and even before the respondents act upon any such communication from such entity, would not entitle the petitioner to seek interdiction of any future decision-making by the respondents. The respondents are at liberty to take any decision as is considered appropriate. If the petitioner is aggrieved by any such decision and such decision has a public law implication, the petitioner is at liberty to pursue his remedies under Article 226 of the Constitution and if the decision does not have public law implications, the petitioner has other remedies open.

The petitioner raises issues that are moot. The writ petition is premature, deserves rejection and accordingly it is dismissed at the stage of admission. There shall however be no order as to costs.

GODA RAGHURAM, J

Date: 11.7.2006
CVM